



Guidance on Treated Lumber for Producers

The USDA's regulations for organic production and handling (7 CFR Part 205, *the National Organic Program; Final Rule*), section 205.206(f), do not allow the use of lumber "treated with prohibited materials" for organic production.

§ 205.206 Crop pest, weed, and disease management practice standard.

(f) The producer must not use lumber treated with arsenate or other prohibited materials for new installations or replacement purposes in contact with soil or livestock.

Examples of *prohibited materials* include arsenic, copper azole wood (CBA), and Alkaline Copper Quaternary wood (ACQ), among others. Arsenic is listed as a "prohibited natural" in §205.602 of the rule. The other examples contain synthetic materials that are not listed in §205.601 and §205.603 of the rule, which are the lists of synthetic materials allowed for organic crop and livestock production. The NOP has clarified the prohibition on treated lumber in the preamble of the rule to state that it does not apply to lumber used for fence posts or building materials "*isolated from production*".

Clarification from the Preamble of the Rule:

This provision prohibits the use of lumber treated with arsenate or other prohibited materials for new installations or replacement purposes in contact with an organic production site. We included this modification to clarify that the prohibition applies to lumber used in direct contact with organically produced and handled crops and livestock and does not include uses, such as lumber for fence posts or building materials, that are isolated from production. The prohibition applies to lumber used in crop production, such as the frames of a planting bed, and for raising livestock, such as the boards used to build a farrowing house.

Isolated from Production:

Lumber treated with prohibited materials must be "isolated" from all organic production. To be considered isolated from production lumber must not come into contact with soil or other growing mediums used for organic production, and must not contact organic livestock or organic livestock feed. Although the rule allows for treated perimeter fence posts, they must still be "isolated from production". If perimeter fencing of treated lumber surrounds an organic production area growing crops, a buffer zone must be established and maintained. If the fencing is around a pasture used for organic livestock production, the buffer must restrict organic animal's access to the areas nearest the prohibited fencing and provide distance between the roots of pasture plants and the treated posts.

Examples of NOT isolated from production:

Under no circumstances should lumber treated with prohibited materials be used for the following organic growing practices:

- Plant stakes (e.g. berries or tomatoes)
- Trellises or espalier systems
- Raised beds
- Livestock feeders or water troughs
- Walls, floors, or shelves where organic product will be stored (unless product is in a container or impermeable package that prevents contamination)
- Livestock enclosures where animals have access to (can touch) the treated lumber

Buffer zones can be used to isolate lumber from production.

Studies on treated lumber in soils have shown that the toxic metals which leach from the treated lumber do not travel long distances in the soil. While distances varied depending on soil type and other soil parameters, distances were in terms of feet rather than tens of feet. As an example of distance, if CCA wood was used for perimeter fence posts on a level field composed of sandy loam soil, a buffer distance of ten to fifteen feet from the post to organic crops should be adequate to address concerns of contamination.

Types of Buffers:

- Mowed grass ways / farm lanes
- Diverted Crops
 - Some growers plant crops to the edges of their fields, then harvest the portions of crops along the borders and divert those border crops to conventional markets. This method, along with distance, is commonly used to reduce pollen drift contamination from genetically altered crops. The buffer distance required for treated lumber situations (the number of row feet that must be diverted to conventional) is not as great as the distances normally used for GMO pollen drift, and depends on the nature of the contamination threat. Threat of contamination is impacted by many variables such as slope of the land, soil type, and the prohibited material(s) in question.. The plan for diverting crops from buffer areas must be clearly described in the Organic Farm Plan, and detailed documentation (planting records, harvest records, sales records, bills of lading, etc.) are required to be maintained.
- Established vegetative buffers (*excellent for preventing drift, distance is still required between organic crops and lumber treated with prohibited materials*)
 - Trees / Wooded areas
 - Hedges / Bushes
 - Tall Perennial Grasses

For more information concerning buffer zones, see the Buffer Zone Guidance for Growers.

Alternatives to Treated Lumber:

Aside from isolating lumber treated with prohibited materials, there are alternatives organic growers can choose, such as un-treated, naturally decay resistant woods, wood or lumber treated with materials consistent with the National List, and possibly plastic woods (*should be evaluated by the certification program prior to installation*).

Growers seeking alternatives to highly toxic treatments have less toxic choices. The Applied Technology Transfer to Rural Areas (ATTRA) program has an excellent publication detailing alternative treatments that are less toxic than some traditional materials such as CCA or Pentachlorophenol. The publication entitled Organic Alternatives to Treated Lumber lists sources for natural and alternative treatments. Be careful; just because a treatment is “less toxic” does not automatically mean it is consistent with the rule (the national list). Chances are that lumber would still need to be isolated from production if it is treated with materials to fight decay. If you have any doubts on the status of a particular lumber treatment, call the Supervisor. While less toxic alternatives are a desirable option for most organic growers, many alternatives are still not listed in the rule and must be isolated from production. The ATTRA publication on treated lumber can be obtained for free by visiting the ATTRA web site at www.attra.org or by calling ATTRA at 1-800-346-9140.